

UNITED STATES DISTRICT COURT

for the

District of Massachusetts



Eastern Division

DENNIS BAIN

Case No. _____

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

SEE ATTACHED

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	DENNIS BAIN
Street Address	57 STEVENS STREET
City and County	STONEHAM, MIDDLESEX
State and Zip Code	MASSACHUSETTS, 02180
Telephone Number	781-789-4694
E-mail Address	DENNISBAIN10@GMAIL.COM

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name	<u>MICHAEL MACDONALD</u>
Job or Title <i>(if known)</i>	<u>CHIEF OF SECURITY OF COURTS</u>
Street Address	<u>10-U COMMERCE WAY</u>
City and County	<u>WOBURN, MIDDLESEX</u>
State and Zip Code	<u>MASSACHUSETTS</u>
Telephone Number	<u>UNKNOWN</u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. 2

Name	<u>DAN GRANDE</u>
Job or Title <i>(if known)</i>	<u>CHIEF OF SECURITY, WOBURN PROBATE COURT</u>
Street Address	<u>10-U COMMERCE WAY</u>
City and County	<u>WOBURN, MIDDLESEX</u>
State and Zip Code	<u>WOBURN, MASSACHUSETTS</u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. 3

Name	<u>HEATHER (UNKNOWN) CLERK DID NOT KNOW HER NAME</u>
Job or Title <i>(if known)</i>	<u>OFFICE MANAGER, PROBATE COURT REGISTRY</u>
Street Address	<u>10-U COMMERCE WAY</u>
City and County	<u>WOBURN, MIDDLESEX</u>
State and Zip Code	<u>MASSACUSETTS, 02180</u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. 4

Name	<u>CHIEF JUSTICE CASEY AND ADMINISTRATION</u>
Job or Title <i>(if known)</i>	<u>HEAD OF PROBATE AND FAMILY COURT</u>
Street Address	<u>3CENTER PLAZA</u>
City and County	<u>BOSTON</u>
State and Zip Code	<u>MASSACHUSETTS,02108</u>
Telephone Number	<u>617-788-6600</u>
E-mail Address <i>(if known)</i>	<u></u>

Pro Se 2 (Rev. 12/16) Complaint and Request for InjunctionDefendant No. **5**

Name	<u>CHIEF JUSTICE BRIEGER</u>
Job or Title <i>(if known)</i>	<u>HEAD OF COURTS</u>
Street Address	<u>3 CENTER PLAZA</u>
City and County	<u>BOSTON</u>
State and Zip Code	<u>MASSACHUSETTS,02108</u>
Telephone Number	<u>617-788-6600</u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. **6**

Name	<u>MASSACHUSETTS APPEALS COURT</u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u></u>
City and County	<u>BOSTON</u>
State and Zip Code	<u>MASSACHUSETTS,02108</u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. **7**

Name	<u>THE GLOUCESTER COURT AS A WHOLE</u>
Job or Title <i>(if known)</i>	<u>NUMEROUS JUDGES, PROSECUTORS AND PROBATION</u>
Street Address	<u></u>
City and County	<u>PEABODY, GLOUCESTER COURT HOUSED AT PEABODY</u>
State and Zip Code	<u>MASSACHUSETTS,</u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

Defendant No. **8**

Name	<u>WILLIAM MCSWEENEY</u>
Job or Title <i>(if known)</i>	<u>JUDGE</u>
Street Address	<u>10-U COMMERCE WAY</u>
City and County	<u>WOBURN, MIDDLESEX</u>
State and Zip Code	<u>MASSACHUSETTS, 02108</u>
Telephone Number	<u></u>
E-mail Address <i>(if known)</i>	<u></u>

and more Defendants

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

THE US CONSTITUTION INCLUDING BUT NOT LIMITED TO:

1ST,5TH,9TH AND 14TH AMENDMENTS

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____ and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____

Or is incorporated under the laws of (foreign nation) _____ and has its principal place of business in (name) _____

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

MIDDLESEX PROBATE AND FAMILY COURT MASSACHUSETTS COURT ADMINISTRATION
10U COMMERCE WAY INCLUDING PROBATE COURT ADMIN.
WOBURN, MASSACHUSETTS 01801

GLOUCESTER DISTRICT COURT

MASSACHUSETTS APPEALS COURT PLEASE REVIEW AFFIDAVIT, ANY QUESTIONS FEEL
FREE TO CONTACT ME.

B. What date and approximate time did the events giving rise to your claim(s) occur?

IN REFERENCE TO THIS POINTED COMPLAINT I AM ONLY TARGETING THE MIDDLESEX PROBATE AND GLOUCESTER COURTS BUT OVERALL I HAVE NUMEROUS CONSTITUTIONAL VIOLATIONS AGAINST ME THROUGHOUT THE MASSACHUSETTS COURT SYSTEM TO BE ADDRESSED IN THE FUTURE, BUT THAT THEY HAVE A DIRECT RELATIONSHIP TO THIS REQUEST FOR INJUNCTION. FIRST AMEDEMMENT ISSUES AT PROBATE COURT HAVE OCCURED STARTING IN JUNE 2024 TO PRESENT, OTHER ISSUES INCLUDING DEPRIVING ME OF MY CHILDREN AND HARASSMENT HAS BEEN ONGOING FOR 10+ YEARS. AS INDICATED IN THE DOCUMENTS ENCLOSED. I DO HAVE A BOX OR 2 OF DOCUMENTS IF NEEDED FOR TIME!

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
SEE ATTACHED AFFIDAVITT

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

MEASURING THE DAMAGE IS IMPOSSIBLE AS THE PARTIES AS A WHOLE ENCOMPASS THE INDIVIDUALS THROUGHOUT THE ENTIRE MASSACHUSETTS COURT SYSTEM. THE EFFORTS OF ALL THE BAD ACTORS, INCLUDING DISTRICT COURT JUDGES, PROSECUTORS, PROBATION OFFICERS TO NAME A FEW WHO ARE DESTROYING MY FAMILY AND MY REPUTATION. THEY HAVE ACHIEVED THIS GOAL! I HAVE BEEN SUBJECTED TO UNJUST JAILINGS, UNJUST CONVICTIONS, AND TRIALS WHICH INVOLVED MALICIOUS PROSECUTION AND OBSTRUCTION OF JUSTICE, AND MORE!

AS AN ADDENDUM TO THE BELOW MENTIONED RELIEF I AM REQUESTING THAT JUDGE GARGAS AND JUDGE MCSWEENEY BE DEALT WITH PUBLICLY.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

SEE ATTACHED DOUMENT

ALSO PLEASE CONTACT ME AT ANYTIME AS THERE ARE TOO MANY INSTANCES OF ABUSE AND HARASSMENT TO INCLUDE WITH THIS COMPLAINT. THIS COMPLAINT IS A FRACTION OF THE ISSUES OF CRIMES BY THE COURTS. I HAVE ATTORNEYS WHO WILL BE BROUGHT TO TESTIFY AGAINST THE COURT AND THEIR ACTIONS, WHETHER THEY LIKE IT OR NOT. WHEN A LAWYER TAKES \$10,000.00 TO FILE FOR A HEARING AND THEN ADVISES HIS CLIENTS THAT THE PEOPLE IN THE COURTROOM HATE ME, GETS NO ACTION EITHER WAY FROM SAID HEARING AND LEAVES THE COURTROOM TEARING THE HAIR OUT OF HIS HEAD, SOMETHING IS WRONG!

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12/27/2024

Signature of Plaintiff

Printed Name of Plaintiff

Dennis Bain
DENNIS BAIN

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

V. RELIEF

As I stated previously, the damage caused by the long-term (10 years+) abuse by the court system is immeasurable. That being said a jury will have to assess damages and/or compensation that would be appropriate. My intention is to file a 1983 civil rights complaint with respect to this ongoing abuse.

At this juncture, and for this complaint, I ask the court to assist me and intervene as follows:

1. Order that the fraudulent Gloucester restraining order be vacated. This will remove the ability for my ex-wife to use it as a weapon to have me wrongfully jailed or falsely and maliciously prosecuted by the Gloucester court. I believe that Gloucester court has exploited my ex-wife to jail or harm and intimidate me. Attempts to have the restraining order removed have been ignored by both Gloucester and Probate courts. As stated, Mcsweeny refuses to amend the RO, to eliminate conflicting orders as per standing court order 21-3. The Gloucester court refuses to remove it due to their arrogance and intent to intimidate me. There is no evidence to support the order. It was issued fraudulently due to behind close door communications with a victims advocate and either Judge Patten, Magistrate Margeret Daly Crateau or both. There was no testimony or evidence to support the order. Also to be part of my 1983 case.
2. Order the Woburn Probate Court re-establish shared legal custody of my 13year old daughter, Adele. Establish at minimum, immediate unsupervised visitation/contact with my daughter. Order the Probate court to re-appoint court clinician, Jennifer Westbrook, to facilitate visitation and expeditiously re-unite my daughter and myself so far as establishing 50/50 shared physical and legal custody of Adele. Should Miss Westbrook be unable to assist, as she is presently on maternity leave, an alternative person of my choosing be appointed. The Probate Court bear should the cost of this individual.
3. Order that all violations of my freedom of speech be addressed. That the Probate court employees including the administration stop the campaign they have established to harass and intimidate me to stop my efforts to

freely express myself. The court administration should be publicly admonished. The parties in control that ignored my requests, that being the chief justices and their administration should be removed.

4. The "no trespass" order be deemed invalid and removed.
5. The Court personnel should be ordered to stop interfering in any way relative to my 1st amendment rights anywhere on or within the public areas of the courthouse property relative to my peaceful protest.
6. The Federal Court should implement any other actions it deems appropriate, beyond my suggestions, to stop these violations of mine and my children's constitutional rights.

Be advised that I have additional evidence needed to support my claims, more than you would want to have with this complaint, boxes of documents. If you have particular questions or would like to see any documents, please feel free to contact me. I also urge you to review my civil rights complaint which I previously referenced. The complaint, although written by a layman, is a compelling account of the pattern of abuse by the system. If you cannot get a copy I can email it to you.

Note: I am tired of the back door/behind closed door, politics and corruption in the courts. There is no confidence in the courts, even Chief Justice Budd has stated that the approval rating is at an all-time low, 35%.